

DOCKET NO.: AM101205NP (WYNC-0329)

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Gao, *et al.*

Confirmation No.: 4794

Application No.: 10/659,531

Group Art Unit: 1624

Filing Date: September 10, 2003

Examiner: K. Habte

For: Antidepressant Azaheterocyclmethyl Derivatives Of 4,5-Dihydromidazo[1,4,5-De][1,4] Benzoxazine

EXPRESS MAIL LABEL NO: EV325726446US
DATE OF DEPOSIT: January 21, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**COMMUNICATION REGARDING
INFORMATION DISCLOSURE STATEMENT**

In the Office Action dated October 25, 2004, the Examiner indicated that references 3, 5, 7, 9-10, 14, 17 and 20 listed on the PTO Form 1449 originally filed February 5, 2004, were not considered because copies of those references were not found in the application file. Enclosed is a Supplemental Information Disclosure Statement citing the above-noted references. A copy of each listed reference is submitted herewith.

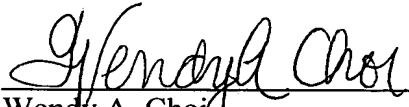
It is respectfully requested that the Examiner consider the enclosed references and return an initialed copy of the PTO Form 1449 to Applicants.

The Commissioner is authorized to charge payment of any fees associated with this communication and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050.

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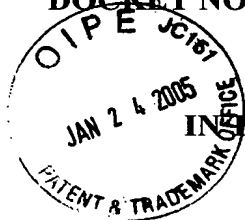

Wendy A. Choi
Registration No. 36,697

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☐ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☒ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

☒ Copies of reference numbers 21-28 listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of reference numbers - on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.


There are no listed references which are not in the English language.

DOCKET NO.: WYNC-0329 (AM101205)- 3 -

PATENT

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: January 21, 2005



Wendy A. Choi
Registration No. 36,697

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. WYNC-0329 (AM101205)	Application No. 10/659,531
	Applicant Gao, et al.	
	Filing Date September 10, 2003	Group 1624
	Confirmation No. 4794	

U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	21	WO 94/01437 A1	01/20/94	PCT		

Examiner Initial	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	22	Bundgaard, H. (ed.), <i>Design of Prodrugs</i> , Elsevier (1985), Ch. 1 (pp. 1-92), Ch. 4 (pp. 157-176), Ch. 5 (pp. 177-198), and Ch. 6 (pp. 199-241).
	23	Bundgaard, H. et al., "Glycolamide Esters as Biolabile Prodrugs of Carboxylic Acid Agents: Synthesis, Stability, Bioconversion, and Physicochemical Properties," <i>J. of Pharmaceutical Sciences</i> , 77(4):285-298 (1988)
	24	Eliel, E. L., <i>Stereochemistry of Carbon Compounds</i> , McGraw Hill, NY (1962) Ch. 4, pp. 46-87
	25	Higuchi and Stella (eds.), <i>Prodrugs as Novel Drug Delivery Systems</i> , American Chemical Society (1975), pp. 1-115 and 196-223
	26	Jacques, J. et al., <i>Enantiomers, Racemates and Resolutions</i> , Wiley Interscience, NY (1981) pp. 251-434
	27	<i>Remington's Pharmaceutical Sciences</i> , 17 th Ed., Gennaro, A. R. (Ed.), Mack Publishing Company, Easton, PA (1985) pp. 1409-1677
	28	Widder, et al. (ed.), <i>Methods in Enzymology</i> , Vol. 112, Academic Press (1985), pp. 309-396

EXAMINER	DATE CONSIDERED
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